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Media Release

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Attorney General Beau Biden Secures Criminal Conviction in Environmental Dumping Case

Attorney General Joseph R. Biden, III announced today that Everett E. Thomas, of Hurlock, Md. has been convicted of illegally transporting solid waste without a permit and of illegally dumping clam waste in the Marshy Hope Wildlife Area in Sussex County. Thomas was convicted on April 16 by a jury in Sussex County Superior Court and faces incarceration, fines and restitution when he is sentenced by Judge E. Scott Bradley in June.

"Cases like this serve as a deterrent to others who are polluting our natural resources," stated Attorney General Biden. "We will continue to use the full power of the Department of Justice to protect the health of our environment."

In July 2007, a Sussex County resident discovered a large pile of decomposing clam waste at the edge of a ditch in the Marshy Hope Wildlife Area. The next day, the same resident observed a dump truck leaving the scene after it had dumped a load of clam waste nearby. Delaware Department of Natural Resources and Environmental Control Environmental Protection Officers opened an investigation and determined that the clam waste originated from Seawatch International, a fish & seafood processing operation in Milford, Del. Seawatch officials, who cooperated with DNREC officers, reported that Thomas had been contracted to use clam waste from the processing plant as hog feed.

During the investigation, Thomas was observed dumping clam waste he had picked up from Seawatch International into a Maryland field approximately six miles from the Marshy Hope Wildlife Area. Because Thomas illegally dumped clam waste rather than using it as feed, he was required under Delaware law to have a permit to transport solid waste.

DNREC Secretary John A. Hughes emphasized the coordinated effort that resulted in justice for the environment. "A proactive, concerned citizenry and a coordinated enforcement effort with the Attorney General's office serves notice that the environment can and will be protected," he said.

Thomas was convicted of three counts of transporting solid waste without a permit, two counts of disposing of solid waste without a permit, and two counts of operating a motor vehicle in a wildlife area. DNREC coordinated the removal of the clam waste from the Marshy Hope Wildlife Area.

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